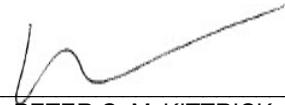


December 24, 2019

Clerk, U.S. Bankruptcy Court

Below is an order of the court.



PETER C. McKITTRICK
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF OREGON

In Re:)
PETER SZANTO,) Bankruptcy Case No.
) 16-33185-pcm7
)
) ORDER STRIKING DOC. 864
) AND DENYING DOC. 865
) AS MOOT
Debtor.)
)

The Department of Treasury - Internal Revenue Service (the IRS) filed a claim (the Claim) in this bankruptcy case. See Claim 3 and subsequent amendments thereto. Debtor filed an objection to the Claim. See Doc. 826. The Court has decided to hold an evidentiary hearing on Debtor's objection to the Claim, which hearing will be set by separate notice.

On December 19, 2019, the IRS filed a Supplemental Declaration of Bankruptcy Specialist Philip Kushner (the Supplemental Declaration). The applicable rules do not permit the filing of a supplemental declaration in the present circumstances and the IRS did not seek leave of the Court prior to its filing.

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On December 20, 2019, Debtor filed a document captioned Debtor's 2nd Affidavit/Response to ORDER to Disprove the Internal Revenue Service's False and Fraudulent Claim #3-22 (the Response). Doc. 865. In the Response, Debtor requests that the Court allow him three weeks "to formulate in-depth objections" to the Supplemental Declaration. Doc. 865, p. 2. There is no basis for Debtor to formulate objections to the Supplemental Declaration because the Court is striking it.

IT IS HEREBY ORDERED that the Supplemental Declaration is STRICKEN without prejudice to the ability of the IRS to offer the evidence contained in the Supplemental Declaration at the evidentiary hearing on the Claim.

IT IS FURTHER ORDERED that the relief requested in the Response is DENIED as moot.

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cc: Peter Szanto
Boris Kukso
Chapter 7 trustee